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MAY 22 2008  
U.S. DISTRICT COURT  
S.D.N.Y.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MODINE MANUFACTURING COMPANY,

Plaintiff,

Index No.  
07 CIV 7457 (HB)

- Against -

STIPULATION OF  
DISCONTINUANCE

EXPEDITORS INTERNATIONAL GmbH  
(STR) and DELTA AIR LINES, INC.,

Defendants.  
-----X

IT IS HEREBY STIPULATED AND AGREED, that the above-entitled action having  
been settled, that it be and the same hereby is dismissed with prejudice, but without cost to any  
party subject to being re-opened <sup>permitted to apply to</sup> within sixty (60) days after dismissal, should settlement funds  
not be received. *1 The clerk is instructed to close this case & remove it from my docket.*

Dated: May 19, 2008

HILL RIVKINS & HAYDEN LLP  
Attorneys for Plaintiff,

By: *[Signature]*  
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BADIAK & WILL, LLP  
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Expeditors International of  
Washington, Inc.

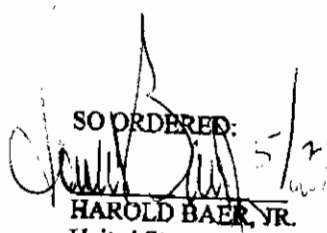
By: 

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Your Ref: 07-T-003-JK, et al.

MOUND, COTTON & WOLLAN  
& GREENGRASS  
Attorneys for Defendant, Delta Air Lines, Inc.

By: 

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SO ORDERED: 5/21/08

HAROLD BAER, JR.  
United States District Judge